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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ALI BAHREMAN,

Plaintiff,

v.

ALLEGiant AIR, L.L.C. and
TRANSPORT WORKERS UNION OF
AMERICA LOCAL 577,

Defendants.

Case No. 2:20-cv-00437-RFB-DJA

**JOINT STIPULATION AND ORDER
TO EXTEND TIME TO CONDUCT
INITIAL DISCOVERY AND TO FILE
DISPOSITIVE MOTIONS**

[SECOND REQUEST]

Pursuant to Local Rules IA 6-1 and Local Civil Rules 7-1 and 26-3, Plaintiff Ali Bahreman and Defendants Allegiant Air, LLC (“Allegiant”) and the Transport Workers Union of America, Local 577, AFL-CIO (“TWU”) (collectively the “Parties”), by and through their counsel of record, hereby stipulate to extend the time to complete initial discovery and to file dispositive motions after initial discovery. This is the parties’ second request for an extension, and they fully expect this to be their last such request.

1 On September 13, 2021, this Court granted the Parties' first Stipulation for Extension of
2 Time to Conduct Initial Discovery and To File Dispositive Motions (ECF No. 50). The Parties
3 submitted their first stipulation for an extension of time because they had not yet completed
4 discovery due to the press of other matters and the challenges associated with the COVID-19
5 pandemic, and because the Parties had been engaging in settlement discussions. Pursuant to the
6 Court's Order, the current deadline to complete initial discovery is January 12, 2022, and the time
7 for filing dispositive motions after initial discovery is February 14, 2022. It is more than 21 days
8 before the expiration of the subject deadlines.

9 Since this Court granted the Parties' first stipulation for an extension of time, the Parties
10 have worked diligently on discovery in this matter, including, but not limited to, lengthy
11 negotiations regarding the Stipulated Protective Order entered by this Court on December 8, 2021
12 (ECF No. 60). The Parties have also renewed settlement discussions in hopes of resolving this case
13 without the need to conduct extensive discovery, including several depositions, and file dispositive
14 motions.

15 Pursuant to LR 26-3, the Parties further stipulate as follows:

16 **A. Discovery Completed to Date**

17 1. Plaintiff has propounded written discovery, specifically Interrogatories and
18 Requests for Production of Documents, on Defendants. Defendants provided answers to Plaintiff's
19 Interrogatories and responses to Plaintiff's Requests for Production of Documents. In response to
20 Plaintiff's Requests for Production of Documents, Defendants served hundreds of pages of
21 responsive documents, with the exception of any documents containing confidential information
22 subject to the newly-entered Stipulated Protective Order.

23 2. Defendant Allegiant has propounded written discovery, specifically Interrogatories
24 and Request for Production of Documents, on Plaintiff. Plaintiff provided answers to Defendant
25 Allegiant's Interrogatories and responses to Defendant Allegiant's Requests for Production of
26 Documents. In response to Defendant Allegiant's Requests for Production of Documents, Plaintiff
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1 served nearly 1400 pages of responsive documents, with the exception of any documents containing
2 confidential information subject to the newly-entered Stipulated Protective Order.

3 **B. Discovery that Remains to Be Completed**

4 The Parties must serve on each other any documents containing confidential information
5 subject to the newly-entered Stipulated Protective Order and supplemental written answers to
6 Interrogatories and responses to Requests for Production of Documents in light of those additional
7 responsive documents. In addition, the Parties intend to conduct depositions. Defendants intend
8 to depose Plaintiff, and the Parties have discussed possible dates for Plaintiff's deposition. Plaintiff
9 also intends to conduct depositions upon receipt and review of Defendants' additional responsive
10 documents.

11 **C. Reasons for Extension**

12 Although the Parties have worked diligently on this case, discovery has not yet been
13 completed due in part to the substitution and addition of new counsel for both the Plaintiff and
14 Defendant Allegiant during the discovery period and the Parties' lengthy negotiations regarding the
15 Stipulated Protective Order recently entered by this Court on December 8, 2021. Defendant
16 Allegiant served a first draft of the stipulated protective order on Plaintiff and Defendant TWU in
17 mid-October 2021. After conferring by telephone and exchanging several drafts and suggested
18 revisions throughout October, November, and December, the Parties finally reached agreement on
19 December 6, 2021, and the stipulated protective order was promptly filed with the Court and granted
20 on December 8, 2021.

21 Also, the press of other matters and the challenges associated with the current COVID-19
22 pandemic have delayed the Parties from completing discovery in this litigation. Plaintiff has
23 expressed an interest in conducting depositions of witnesses in person in this matter and the Parties
24 have been cautious regarding scheduling persons to appear in person in light of the evolving
25 pandemic and COVID-19 variants. The Parties fully expect that depositions can be conducted
26 within the extended discovery schedule.

1 In addition, the Parties have renewed settlement discussions and desire additional time to
2 engage in further settlement discussions. An extension will allow the Parties to engage in more
3 substantial settlement discussions without the need to conduct extensive discovery and file
4 dispositive motions unnecessarily.

5 **D. Proposed Schedule**

6 The Parties propose a ninety (90) day extension of time to complete discovery, from January
7 12, 2022, up to and including April 12, 2022. The Parties also propose a ninety (90) day extension
8 of time to file dispositive motions, to from February 14, 2022, up to and including May 16, 2022.
9 The additional ninety (90) days will allow the Parties to determine whether settlement can be
10 reached, and if not, to complete the remaining discovery and prepare for dispositive motions in a
11 timely manner. This will preserve party and judicial resources and avoid unnecessary discovery
12 and motion practice. The Parties request to extend the deadlines in good faith and not for the
13 purposes of undue delay. They have only requested the amount of additional time they deem
14 necessary for determining whether settlement can be reached, and if not, the completion of
15 discovery and motions practice in this matter. Thus, the Parties believe good cause exists for
16 extending the above-described deadlines.

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1 THEREFORE, the Parties respectfully request a ninety (90) day extension of time to
2 complete initial discovery, up to and including April 12, 2022, and a ninety (90) day extension of
3 time for the filing of dispositive motions after initial discovery, up to and including May 16, 2022.

4 DATED this 14th day of December, 2021.

5 **JACKSON LEWIS P.C.**

6 /s/ Joshua A. Sliker

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13 /s/ Osnat K. Rind

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18 Attorneys for Defendant TWU Local 577

19 **ORDER**

20 **IT IS SO ORDERED subject to the following modification.** The parties'
21 stipulation fails to include a deadline for filing their joint pretrial order. Accordingly,
22 the deadline to file the Joint Pretrial Order is **June 15, 2021**. If dispositive motions
23 are filed, the deadline for filing the joint pretrial order will be suspended until 30
24 days after decision on the dispositive motions or further court order.

25 DATED this 15th day of December, 2021.

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27 DANIEL J. ALBREGTS

28 UNITED STATES MAGISTRATE JUDGE